

thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation toward a wearer and an outer surface for presentation away from a wearer; and

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet;

wherein said retaining pocket includes a sheet of fabric having an indicator dye which bleaches upon exposure to the elements to notify the wearer of degradation of the swimsuit components.

#### **REMARKS**

The Official Action dated September 7, 2001 rejects Claims 1, 4-9 11 and 12 under 35 U.S.C. 102(b) as being anticipated by Darcy et al (U.S. Patent No. 5,823,838). Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Darcy et al. in view of Khanamirian (U.S. Patent No. 6,235,661). Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Darcy in view of Grunstein et al. (U.S. Patent No. 6,260,199). Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Darcy et al. Claim 3 is rejected for dependence upon a rejected base claim. Claim 14 is allowed.

In response to the rejection of Claims 1, 4-9, 11 and 12 under 35 U.S.C. 102(b) as being anticipated by Darcy et al. (U.S. Patent No. 5,823,838), Applicant has amended Claim 1, 5, and 7 to further distinguish the present invention from the prior art. Darcy et al. does not disclose a floatation suit comprising a form-fitting torso covering which includes the arm and leg areas (See Fig. 2 and 3). Providing a form-fitting covering for the arm and leg areas provides a more balanced and effective buoyancy for the wearer than a floatation suit covering only the central body portion. While Darcy et al. does discuss a "sailing suit" in Fig. 10 and 11, the sailing suit in Darcy is not form fitting as the floatation suit in the present invention, and thus does not hold the buoyant material as closely to the

body as the floatation suit in the present invention. This results in a bulkier floatation suit susceptible to becoming caught on objects in the water, which is dangerous to small children. Furthermore, because the floatation suit in Darcy et al. is not form fitting, the floatation suit in Darcy et al. is heavier and thus much less comfortable to wear when wet. Applicant has amended Claim 1 to further distinguish these inventive features of the present invention from the floatation suit in Darcy et al.

In response to the rejections of Claim 2 and 11, Applicant has amended Claim 1 from which Claim 2 depends, and Claim 7 from which Claim 11 depends, to further distinguish the present invention from the prior art by adding language regarding the presence of arm and leg coverings in the floatation suit of the present invention. Thus, Applicant respectfully submits that Claim 2 and Claim 11 are now placed in condition for allowance.

In response to the rejection of Claim 13 under 35 U.S.C. 103(a) in view of Darcy et al., Applicant amends Claim 13 to further distinguish the manufacture of the floatation suit of the present invention from the manufacture of the floatation suit in Darcy et al. by adding language regarding the presence of arm and leg coverings in the floatation suit of the present invention. Thus, Applicant respectfully submits that Claim 13 is now placed in condition for allowance.

In response to the objection to Claim 3, Applicant cancels Claim 3 and adds new Claim 15, which is Claim 3 rewritten in independent form as suggested by the Examiner in the Office Action. No new matter is added in this new Claim 15.

Applicants resubmit a marked-up copy of Figures 12 and 13 showing the proposed corrections in response to the Examiner's objection. No new matter is being added by these changes.

In accordance with the provisions of 37 C.F.R. §1.136(a), the undersigned attorney, on behalf of Applicant, hereby petitions for a one (1) month extension of time from December 7, 2001 to January 7, 2002 in which to file a response to the Official Action which carried an original response date of December 7, 2001. Applicant encloses Check No. 278903 to cover the necessary fees associated with this Petition.